

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KIONTAE LAWAYNE PARKER,)
)
)
Plaintiff,)
)
-vs-) NO. CIV-25-0504-HE
)
)
BLAKE MARTIN, *et al.*,)
)
)
Defendants.)

ORDER

On June 13, 2025, United States Magistrate Judge Amanda L. Maxfield issued a Report and Recommendation, recommending the court dismiss plaintiff's 42 U.S.C. § 1983 action without prejudice to re-filing for his failure to pay the initial partial filing fee. She advised plaintiff of his right to file an objection to the Report and Recommendation on or before July 7, 2025. In addition, she advised plaintiff of the consequences for his failure to file a timely objection.

To date, plaintiff has not filed any objection to the Report and Recommendation. Plaintiff therefore has waived the right to appellate review of the factual and legal questions contained in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #42]. Plaintiff's 42 U.S.C. § 1983 action is **DISMISSED WITHOUT PREJUDICE** to re-filing for failure to pay the initial partial filing fee.

A separate judgment will be entered.

IT IS SO ORDERED.

Dated this 15th day of July, 2025.



JOE HEATON
UNITED STATES DISTRICT JUDGE